

REMARKS/ARGUMENTS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claims 1, 2, 6-8, 10, 12, 15 and 16 have been amended. Claims 3, 4, 11 and 17 have been cancelled. Claims 1, 2, 5-10, 12-16 and 18-20 are pending for further examination.

Claims 1-20 have been rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the enablement requirement. Applicant has included an exemplary composition for one of the listed chemicals, as found on a material data sheet available from Hydrocarb Trinidad, Ltd. But, since the specification notes that the invention is not limited to any specific chemicals for the oxidizing/reducing agent, Applicant submits that the disclosure of the commercial tradenames of four chemicals which were known to work in the claimed method is sufficient disclosure for one of skill in the art to be able to practice the claimed method. One of skill in the art would have known that these chemicals were further available from Hydrocarb Trinidad Limited (as noted in the specification). Given the tradenames and the distributor name, one of skill in the art would have little difficulty in determining how to obtain the listed chemicals. Thus, Applicant respectfully requests withdrawal of this objection.

Claims 1-20 also stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claims the subject matter which the applicant regards as the invention. Applicant submits that the term “oxidizing/reducing” serves to limit claims 1 and 15 by explaining what type of agent

needs to be introduced to the emulsion. Claim 7 has been amended to describe that the API gravity is enhanced over that of the emulsion, and the word “significant” has been removed from that claim. Claim 11 has been cancelled. Claims 10 and 15 have been amended to correct errors in antecedent basis. Thus, Applicant respectfully requests withdrawal of the objection.

Claims 1-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Vitalis et al. (U.S. Pat. 3,756,959) in view of Fullinwider et al. (U.S. Pat. 4,014,801). Applicant respectfully submits that the applied references do not teach or suggest all elements of the claimed combination as amended.

For example, independent claims 1 and 15 both recite, *inter alia*, “maintaining the changed temperature for a predetermined period of time, wherein said maintained temperature change, in combination with said injected agent, causes reduced interfacial tension and chained scission of the oil molecules, said chained scission causing the molecular weight of the oil molecules to change and enhancing the final viscosity of a saleable product.”

While Vitalis does mention heating an emulsion (col. 5, lines 36-40), Vitalis also teaches that such heating is done to reduce viscosity of thick mineral oil. Vitalis does not teach or suggest that a temperature is maintained for a predetermined period of time, and that such a temperature change, in combination with the injected agent, causes chained scission in the oil molecules, resulting in an enhanced final viscosity of a saleable product.

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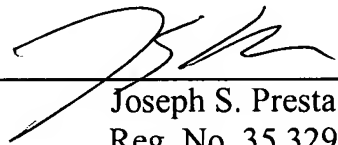
Fullinwider does not cure this defect of Vitalis, as Fullinwider is silent on heating an emulsion. Thus, for at least this reason, Applicant respectfully submits that claims 1 and 15 are allowable over the prior art of record. Claims 2, 5-10, 12-14, 16 and 18-20 should be allowable based at least on their respective dependency from allowable claims 1 and 15.

For at least the foregoing reasons, Applicant respectfully submits that the invention defined by the amended claims herein is not taught or suggested by the prior art of record. Thus, withdrawal of the rejections and allowance of this application are earnestly solicited.

Respectfully submitted,

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